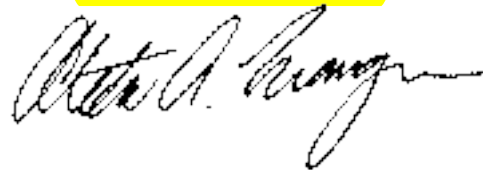


Motion GRANTED.  
Hearing reset for  
11/29/12 at 9:00 a.m.

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION



UNITED STATES OF AMERICA )  
 )  
v. )  
 )  
JAMES R. SMITH )

Case No. 3:11-cr-00003-1  
Judge Trauger

**MOTION TO CONTINUE SENTENCING HEARING DATE**

COMES NOW the Defendant, **James R. Smith**, by and through his undersigned counsel, and respectfully requests that this Honorable Court enter an Order continuing the sentencing hearing in his case from Friday, November 2, 2012 at 9:00 a.m. to a later date convenient to the Court and counsel. In support hereof, Defendant states as follows:

1. This sentencing hearing in this case is currently set for Friday, November 2, 2012 at 9:00 a.m. This is the first setting for trial.
2. This Court is currently engaged in the trial of *United States of America v. Gentry, et al.* The trial is in its second week and will not conclude on or before Friday, November 2, the date of the *Smith* sentencing. The parties will need sufficient time to subpoena necessary witnesses for the *Smith* sentencing.

**WHEREFORE**, based on the foregoing, Defendant Smith respectfully requests that this Honorable Court enter an Order continuing the sentencing hearing in his case from Friday, November 2, 2012 at 9:00 a.m. to a later date convenient to the Court and counsel.